

**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:40 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

**ATTENDANCE:**

PRESENT: CHAIRMAN RICHARD TRUESDELL, MEMBERS, BYRON GOYNES, STEVEN EVANS, LAURA McSWAIN, AND LEO DAVENPORT

EXCUSED: VICE CHAIRMAN TODD NIGRO

STAFF PRESENT: MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., RICHARD SCHRODER - PUBLIC WORKS, GINA VENGLASS - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, KRISTENE HONZIK - CITY CLERK'S OFFICE, DEENY ARAUJO - CITY CLERK'S OFFICE

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development Department, listed the following items that were requested to be held in abeyance or Withdrawn Without Prejudice:

Item 3	TMP-3466	Abeyance to 3/11/2004	Requested by the applicant
Item 4	TMP-3624	Abeyance to 3/11/2004	Design review
Item 22	SDR-2997	Request to Table	
Item 34	TXT-2450	Abeyance to 2/26/2004	Additional Review

With regard to Item 3 [TMP-3466], the applicant submitted a letter requesting the Tentative Map be held to 3/11/2004 because the Site Plan Review and the Modification was held in abeyance at City Council.

**OTHER ITEMS**

MR. CLAPSADDLE informed that staff will, for the first time, be doing video presentations of Items 31 [SUP-3635], Item 32 [SUP-3636], and Item 33 [SDR-3638]. He remarked that staff would appreciate any comments or suggestions regarding the presentations. DEPUTY CITY ATTORNEY BRYAN SCOTT asked whether copies of videos would be provided to the City Clerk's Office. MR. CLAPSADDLE replied that the presentations were done in Power Point and could be sent via email or by disc to the Clerk's Office.

During the One Motion – One Vote segment of the Agenda, regarding Item 9 [SUP-3653] and Item 10 [SDR-3651], the applicant has agreed to all conditions but desired to make a statement. Therefore, the items will be removed and discussed separately. Additionally, regarding Item 14 [SUP-3644], a telephone protest was received prior to the meeting and the complainant may wish to discuss his concerns necessitating removal of this item from the One Motion – One Vote section.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Briefing

**MINUTES – Continued:**

Because the applicant representing Item 15 [ROC-3666] has requested the opportunity to clarify a number of issues, that item will also be pulled from the One Motion – One Vote portion of the agenda.

MR. CLAPSADDLE stated that Item 11 [SUP-3542] will be fast-tracked to the 3/3/2004 City Council Meeting

CHAIRMAN TRUESDELL questioned whether all applicants who have items listed in the above-mentioned section are aware that they still have an obligation to appear. MR. CLAPSADDLE replied affirmatively.

**CONDITION CHANGES:**

The Department of Public Works has provided a handout indicating condition changes for Item 1 [TMP-3133], Item 10 [SDR-3651], and Item 33 [SDR-3638].

**MISCELLANEOUS:**

With regard to Item 33 [SDR-3638], a copy of a section of the Las Vegas Municipal Code was distributed listing the six criteria for making a decision regarding a site plan. He emphasized that only the site plan is under consideration and not the use for the location.

MR. CLAPSADDLE recommended that at the conclusion of Item 33, it would be appropriate to announce that the item will be heard at the 3/17/2004 City Council Meeting, no later than 4:00 p.m.

COMMISSIONER McSWAIN, referencing One Motion – One Vote items, stated her concern regarding the applications chosen for this action particularly special use permits because of their uniqueness. She also commented on an application that did not include site elevations and another application where photographs were provided but lacked clarity therefore indicating to her the need for discussion. Lastly she maintained that Vacations seem more appropriate for the Public Hearing portion of the Agenda. MR. CLAPSADDLE affirmed that all of the applications listed on the One Motion – One Vote section are opened at one time but does not alleviate the opportunity to pull any of those items. Explaining staff's determination as to which items will be grouped in this category, MR. CLAPSADDLE stated that staff examines each case based on a set criteria which includes applications that are fairly routine, staff's recommendation for approval, conditions that are straight forward, no protests and the applicant's letter of acceptance of all conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Briefing

**MINUTES – Continued:**

MR. CLAPSADDLE explained that staff is open to any recommendations or suggestions and emphasized that action taken on these applications was not intended to circumvent the system. He also mentioned that combining items in one motion and one vote would speed up the meeting as well as enable the Commission to address the impending applications listed on the agenda.

CHAIRMAN TRUESDELL encouraged the Commissioners to pull any application that might appear to be controversial whether it be a Consent item or a One Motion – One Vote item. He felt that pulling any application lacking the appropriate backup would be a valid cause. COMMISSIONER McSWAIN replied that she understood the concept of the arrangement of items but emphasized that there may be applications that are inappropriately located or due to the deficiency of information that might prompt her to disagree with the new concept. DEPUTY CITY ATTORNEY SCOTT noted that should there be concern regarding all items listed on the One Motion – One Vote agenda, the Commission would have the ability to pull them.

**MEETING ADJOURNED AT 5:59 p.m.**

**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL.

CALL TO ORDER: 6:06 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS, BYRON GOYNES, STEVEN EVANS LAURA McSWAIN, AND LEO DAVENPORT

STAFF PRESENT: ROBERT GENZER – PLANNING & DEVELOPMENT DEPT., MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., RICHARD SCHRODER - PUBLIC WORKS, GINA VENGLASS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, KRISTENE HONZIK – CITY CLERK'S OFFICE, DEENY ARAUJO – CITY CLERK'S OFFICE

(6:07)

***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT***  
**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**SUBJECT:**

Approval of the minutes of the January 8, 2004, Planning Commission Meeting

**MOTION:**

**NIGRO- APPROVED - UNANIMOUS**

**MINUTES:**

There was no discussion.

(6:08)

**1-40**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.**

**ACTIONS:**

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

**CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.**

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

## ***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT***

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**CHAIRMAN TRUESDELL noted the Rules of Conduct.**

### **PLANNING COMMISSION MEETING RULES OF CONDUCT.**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**ABEYANCE - TMP-3133 - CENTENNIAL PARK II - APPLICANT: SOUTHWEST HOMES, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A 101-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10.3 acres adjacent to the northwest corner of Elkhorn Road and Campbell Road (APN: 125-17-401-004), T-C (Town Center) Zone [M-TC (Medium Density Residential - Town Center) Land Use Designation], Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 and 2 and 5 through 8 subject to conditions and amending Condition 11 of Item 1 [TMP-3133] as follows:**

11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted *for Planning Commission approval* showing elimination of such deviations.



PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 1 – TMP-3133

**MOTION - Continued**  
– UNANIMOUS

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

DAVID CLAPSADDLE, Planning and Development Department, noted the Department of Public Works recommendation to amend Condition 11 of Item 1 [TMP-3133]. He also noted that the applicant concurred with the changed condition.

(6:13 – 6:17)

**1-123**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2663), a Waiver (WVR-3222) of the Town Center Development Standards allowing a 46-foot right-of-way for Solar Avenue where a 80-foot right-of-way is required, and all applicable Town Center Plan Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 1 – TMP-3133

**CONDITIONS - Continued**

Public Works

6. As per WVR-3222 Solar Avenue shall be constructed to a total width of 46 feet, to include a five-foot wide sidewalk on the north side, a four-foot sidewalk on the south side, L-curb and gutter on both sides of the street and an "elbow" corner at the intersection of Solar Avenue and Dapple Gray Road. Appropriate public street dedication and/or easement rights for the full 46-foot width shall be provided prior to approval of any construction drawings for the abutting sites. The applicant shall be responsible for the full width of all construction required on Solar Avenue concurrent with development of the site.
7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. Landscape and maintain all unimproved rights-of-way adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
10. Site development to comply with all applicable conditions of approval for SDR-2663 and all other subsequent site-related actions.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**TMP-3396 - SKY RIDGE - APPLICANT: SOUTHWEST HOMES, LIMITED LIABILITY COMPANY - OWNER: SKY RIDGE LIMITED, LIMITED LIABILITY COMPANY -**  
Request for a Tentative Map FOR A 258-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 24.30 acres adjacent to the east side of Tee Pee Lane, approximately 250 feet north of Grand Teton Drive (APN: 125-07-801-002), T-C (Town Center) Zone [(MLA-TC – Medium-Low Attached Residential – Town Center) land use designation], Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 and 2 and 5 through 8 subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

COMMISSIONER McSWAIN recalled that this application was denied at Planning Commission and asked if it subsequently was approved by the City Council. DAVID CLAPSADDLE, Planning and Development Department, acknowledged that to be correct. He noted that the number of lots was reduced since the application was first submitted.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 2 – TMP-3396

**MINUTES – Continued:**

MR. CLAPSADDLE explained that the Site Development Plan has been approved by the City Council and is now before the Commission. Staff reviewed the application to ensure it conforms to all conditions imposed by the City Council as well as all Standards of Title 19 and the Subdivision Ordinance, Title 18. COMMISSIONER McSWAIN asked for direction as far as addressing the Tentative Map. DEPUTY CITY ATTORNEY BRYAN SCOTT noted that the item could be pulled from the Consent Agenda and considered separately.

VICE CHAIRMAN NIGRO stated that the Tentative Map coincides with the Site Plan approved by the City Council. MR. CLAPSADDLE, acknowledging the Commission's recommendation for denial, clarified that at this stage, the rezoning issue is done with and the matter at hand deals with looking at the conditions and its conformance to the Code.

(6:13 – 6:17)

**1-123**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-3320) and the Town Center Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. A Master Streetlight Plan of public street lights for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
7. Site development to comply with all applicable conditions of approval for SDR-3320 and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 2 – TMP-3396

**CONDITIONS – Continued:**

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**TMP-3466 - HORSE AND THOM - APPLICANT: SIGNATURE HOMES - OWNER: PLASTER DEVELOPMENT COMPANY** - Request for a Tentative Map Plan Review FOR A PROPOSED 16 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to 3/11/2004 Planning Commission meeting – UNANIMOUS with McSWAIN abstaining on Item 3 [TMP-3466] as her firm is awaiting final payment for work done for Signature Homes**

**MINUTES:**

CHAIRMAN TRUESDELL stated that the applicant requested this application be held in abeyance to the 3/11/2004 Planning Commission meeting.

(6:11)

**1-61**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**TMP-3624 - DECATUR III - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A TWO-LOT COMMERCIAL SUBDIVISION on 27.38 acres adjacent to the northwest corner of Decatur Boulevard and Tropical Parkway (APN: 125-25-601-022 and 023), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

**ABEYANCE TO THE MARCH 11, 2004 PLANNING COMMISSION MEETING**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends ABEYANCE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to 3/11/2004 Planning Commission meeting – UNANIMOUS**

**MINUTES:**

CHAIRMAN TRUESDELL explained that the applicant requested this application be held in abeyance to the 3/11/2004 Planning Commission meeting in order to review the design.

(6:11)

**1-61**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**TMP-3632 - LEON AND DEER SPRINGS - APPLICANT: RAZI INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A 29-LOT RESIDENTIAL DEVELOPMENT on 10.19 acres adjacent to the northwest corner of Deer Springs Way and Leon Avenue (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone, under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 and 2 and 5 through 8 subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:13 – 6:17)

**1-123**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.



PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 5 – TMP-3632

**CONDITIONS – Continued:**

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2437), Review of Condition [(ROC-3283) and (ROC-3286)] and Rezoning (ZON-2436).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Dedicate an additional 5 feet of right-of-way for a total radius of 20 feet on the northwest corner of Leon Avenue and Deer Springs Way.
7. Extend public sewer in Leon Avenue to the north edge of this site, to a location, depth and alignment acceptable to the City Engineer. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits.
8. Site development to comply with all applicable conditions of approval for ZON-2436, SDR-2437, and all other subsequent site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**TMP-3647 - PENNINGTON ESTATES - APPLICANT: JL & VIRGINIA PENNINGTON**

- Request for a Tentative Map FOR AN 11-LOT RESIDENTIAL DEVELOPMENT on 5.57 acres adjacent to the northwest corner of El Campo Grande and Rebecca Road (APN: 125-26-304-008 and 125-26-401-003), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 and 2 and 5 through 8 subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:13 – 6:17)

**1-123**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 6 – TMP-3647

**CONDITIONS – Continued:**

2. All development shall conform to the Conditions of Approval for Site Development Plan Review SDR-3348 and Rezoning ZON-3345.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. El Campo Grande Avenue must be designed in accordance with Rezoning application ZON-3345, Condition No. 4.
7. Site development to comply with all applicable conditions of approval for ZON-3345, SDR-3348, and all other site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**TMP-3656 - TAOS ESTATES III - APPLICANT: TANEY ENGINEERING - OWNER: DISTINCTIVE HOMES AT TAOS ESTATES III, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 30-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street (APN: 125-27-503-013 and 014), R-E (Residence Estates) Zone, under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).**

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 and 2 and 5 through 8 subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:13 – 6:17)

**1-123**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 7 – TMP-3656

**CONDITIONS– Continued:**

2. All development shall conform to the Conditions of Approval for Rezoning (ZON-1855), Site Development Plan Review (SDR-3078) and Variance (VAR-3076).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Vacate any easements in conflict with this development prior to or concurrent with the recordation of a Final Map for this site.
7. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
8. Landscape and maintain all unimproved rights-of-way on Rio Vista Street adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements located in the Rio Vista Street public right-of-way adjacent to this site prior to occupancy of this site.
10. The modified knuckle at the intersection of Chimayo Court and Costilla Street as proposed on the submitted Tentative Map stamped and dated 1/7/04 and accepted by the City Engineer may be incorporated into the civil drawings and Final Map.
11. Site development to comply with all applicable conditions of approval for ZON-1855, SDR-3078, and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 7 – TMP-3656

**CONDITIONS– Continued:**

12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**EOT-3659 - APPLICANT: TIPANAN SA FRANKLYNS - OWNER: HOVANEK ETHNEY LIVING TRUST** - Request for an Extension of Time for an approved Special Use Permit (SUP-1132) FOR A PROPOSED RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (TIPANAN SA FRANKLYN'S) at 2202 West Charleston Boulevard (APN: 139-32-804-007), PD (Planned Development) Zone, Ward 5 (Weekly).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 and 2 and 5 through 8 subject to conditions – UNANIMOUS**

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:13 – 6:17)

**1-123**

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 8 – EOT-3659

**CONDITIONS:**

Planning and Development

1. This Reinstatement and Extension of Time will expire on December 18, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0020-97) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.
3. Conformance to all minimum requirements under Title 19.04.050 for a Restaurant Service Bar use.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3653 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT, OFF-PREMISE CONSUMPTION in conjunction with a proposed 39,960 square-foot Grocery Store adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN: 137-12-401-030 and 022; 137-12-801-001), U (Undeveloped) Zone [pcd (Planned Community Development) general plan designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain special land use designation], Ward 4 (Brown).

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SUP-3653] and Item 10 [SDR-3651].

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant submitted a letter agreeing to the conditions of both items but requested the opportunity to appear to make a statement.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 9 – SUP-3653

**MINUTES – Continued:**

MR. CLAPSADDLE explained that the use permit is for off-site sale of beer and wine in conjunction with a grocery store and a Site Development Plan Review for 87,790 square foot retail center. The special use permit meets the distance separation requirements and is a permitted use in the Village Commercial District in Lone Mountain West and meets Residential Adjacency Standards of the Code. MR. CLAPSADDLE noted that the only approval is for the Walmart Neighborhood Center. The remainder will be reviewed on a case-by-case basis and if there are any significant modifications to the site plan, it would be brought back before the Commission. He added that staff would monitor the parking to ensure it is sufficient for the entire site.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She stated that the applicant concurs with all the conditions including the added conditions referenced by MR. CLAPSADDLE regarding increased landscaping along Shady Timber Street and Cheyenne Avenue. ATTORNEY LAZOVICH also confirmed that the applicant would be meeting with the adjacent neighbors prior to the items being heard by the City Council.

Because of continued concern regarding applications that do not include site elevations, COMMISSIONER McSWAIN asked staff if they would ensure that elevations for the appropriate applications are included as part of the backup. MR. CLAPSADDLE acknowledged the recommendation.

MIKE GIDDINGS, 3455 River Street, an employee of United Food and Commercial Workers, Local 711, commented on the number of employees who are currently on strike as a result of Walmart entering the grocery business. Speaking on behalf of the union workers, he stated their opposition to the approval of any Walmart.

LARRY ALLEN, 10701 South Eastern Avenue, a former Walmart employee also appeared in protest to Walmart but had no specific comments to make regarding the subject applications.

TINA RECK, 3317 Autumn Vail Street, appeared in opposition to the proposed project, feeling that it would be an imposition on her privacy and would turn an adjoining street into a Walmart parking lot. COMMISSIONER McSWAIN suggested MS. RECK meet with ATTORNEY LAZOVICH inasmuch as a neighborhood meeting has already been scheduled to address concerns.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 9 – SUP-3653

**MINUTES – Continued:**

COMMISSIONER EVANS reiterated his beliefs as previously stated for the record and stated that he would cast his vote based on Title 19 of the Municipal Code in terms of the site development plan review.

CHAIRMAN TRUESDELL questioned the purpose of the multiple traffic signals along Cheyenne Avenue. RICHARD SCHRODER, Public Works Department, explained that once the warrants are met, only the Traffic Engineer is able to approve the traffic signals. Secondly, staff has worked with the applicant's engineer and has worked out a solution that will not impact the progression of traffic on Cheyenne Avenue. CHAIRMAN TRUESDELL asked whether redirecting the trucks pad through the center of the site, both in and out, might not be a better plan that would lessen any impact to the Shady Timber thoroughfare. MR. SCHRODER replied that staff would look into any adjustments that could be made to the circulation. In conclusion, CHAIRMAN TRUESDELL recommended a condition prohibiting the access of heavy delivery trucks onto Shady Timber Street. Knowing that a meeting with the residents is forthcoming, ATTORNEY LAZOVICH committed to making that recommendation to the residents.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SUP-3653] and Item 10 [SDR-3651].

NOTE: All discussion for Item 9 [SUP-3653] and Item 10 [SDR-3651] was held under Item 9 [SUP-3653].

(6:25 – 6:44)

**1-513**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Off-Premise) use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0033-97) and Site Development Plan Review SDR-3651.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 9 – SUP-3653

**CONDITIONS– Continued:**

6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SDR-3651 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of the foundation landscaping buffer FOR A PROPOSED 87,790 SQUARE-FOOT RETAIL CENTER on 11.73 acres adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN: 137-12-401-030 and 022; 137-12-201-001), U (Undeveloped) Zone [PCD (Planned Community Development) general plan designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain special land use designation], Ward 4 (Brown).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED** subject to conditions with the deletion of Condition 20 and adding the following condition:

- *The site shall be designed to prohibit heavy delivery trucks from using Shady Timber Street. The applicant shall ensure that this restriction is observed by heavy delivery vehicles.*

**– UNANIMOUS**

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

NOTE: See Item 9 [SUP-3653] for related discussion.

(6:25 – 6:44)

**1-513**

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 10 – SDR-3651

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Separate site plan review is required for Pad Sites “A” thru “H”. Each individually submitted site plan application must independently comply with all applicable Title 19 and Lone Mountain Master Plan standards prior to approval.
4. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit, to depict the addition of an outdoor Employee Patio Area as outlined in Section 5.3.5 of the Lone Mountain Master Plan, a revised parking analysis and building area total.
5. Prior to the submittal of a building permit, the applicant shall meet with the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to show a minimum 20 foot wide landscape planter along Shady Timber Street and the east 200 feet of frontage along Cheyenne Avenue, to the first driveway with planting material in accordance to Code standards and parking lot landscaping planters placed every sixth space within a parking row and an eight foot high perimeter screen wall as required by Title 19.12.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 10 – SDR-3651

**CONDITIONS - Continued:**

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

16. Dedicate 30 feet of right-of-way adjacent to this site for Shady Timber Street and an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of Cheyenne Avenue and Shady Timber Street. In addition, grant a traffic chord easement on the northwest corner of Cheyenne Avenue and Shady Timber Street. Additional right-of-way dedications per Standard Drawing #201.1 and #234 shall be shown, unless specifically not required by the update to the Traffic Impact Analysis.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 10 – SDR-3651

**CONDITIONS - Continued:**

17. Construct half-street improvements including appropriate overpaving on Shady Timber Street adjacent to this site concurrent with the first phase of development anywhere on this site. Construct all incomplete half-street improvements on Cheyenne Avenue adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Coordinate with Clark County Public Works for all improvements within the Cheyenne Avenue/I-215 Beltway interchange right-of-way.
18. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. All proposed driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
19. A Master Streetlight Plan must be submitted and approved prior to the submittal of any construction drawings for this site.
20. Provide a 20-foot wide private access and public utility easement to Clark County and their successors for the remnant parcel adjacent to the beltway (APN 137-12-301-018) at the north edge of legal boundary of this site.
21. Landscape and maintain all unimproved rights-of-way on Shady Timber Street and Cheyenne Avenue adjacent to this site.
22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Shady Timber Street and Cheyenne Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
23. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.



PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 10 – SDR-3651

**CONDITIONS - Continued:**

24. An update to the previously approved Lone Mountain Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. We note that new traffic signals are proposed at Shady Timber Street and the southern driveway access to this site. The Public Works Department may support the proposed traffic signals provided that the intersections meet warrants. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
25. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
26. Site development to comply with all applicable conditions of approval for rezoning application Z-33-97, the Lone Mountain Development Master Plan, and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3542 - APPLICANT: PAT MARCY - OWNER: TRAILS VILLAGE CENTER COMPANY** - Request for a Special Use Permit and a Waiver of the distance separation requirements FOR A PROPOSED SUPPER CLUB located at 1916 Village Center Circle, Suite 7 (APN: 138-19-719-003), P-C (Planned Community) Zone, Ward 4 (Brown).

**C.C.: 03/03/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item 20 [SDR-3631] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 16 [VAC-3467] as her firm is awaiting final payment for work performed for Signature Homes and on Item 17 [VAC-3555] as her firm is currently doing work for the sister company of Centex Homes.

**To be heard by the City Council on 3/3/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item 20 [SDR-3631].

DAVID CLAPSADDLE, Planning and Development Department, confirmed the receipt of letters from the applicants agreeing to all conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 11 – SUP-3542

**MINUTES – Continued:**

DEPUTY CITY ATTORNEY BRYAN SCOTT suggested each application be read separately to reflect the action to be taken by the Commission. ROBERT GENZER, Director of Planning and Development Department, complied with the City Attorney's request.

For the record, Item 13 [SUP-3642], listed on the One Motion – One Vote Agenda and originally considered for approval was pulled to allow for additional discussion at the request of COMMISSIONER McSWAIN.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item [20 [SDR-3631].

NOTE: All discussion for Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item [20 [SDR-3631] was held under Item 11 [SUP-3542].

(6:17 – 6:25)

**1-259**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the Conditions of Approval for Rezoning (Z-0044-87) and Summerlin Development Plan Review (SV-0033-96).
4. The site plan shall be revised, prior to the issuance of any permits, to show how trash collection for the proposed Supper Club will be managed in accordance with Code requirements.
5. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 11 – SUP-3542

**CONDITIONS– Continued:**

6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3545 - APPLICANT: SHOW MEDIA - OWNER: NEVADA SPACE, INC.** - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 2798 Highland Drive (APN: 162-09-202-007), M (Industrial) Zone, Ward 1 (Moncrief).

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
- 4.

**MOTION:**

**McSWAIN – ABEYANCE to 2/26/2004 Planning Commission meeting – UNANIMOUS**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

In response to TODD FARLOW, 240 North 19<sup>th</sup> Street, DAVID CLAPSADDLE, Planning and Development Department, explained that there are now conditions that require the applicants to keep the property maintained and billboards graffiti-free at all times.

The applicant was not present.

Inasmuch as the applicant requested the Special Use Permit be pulled off of the One Motion – One Vote Agenda, CHAIRMAN TRUESDELL felt that some technical questions may exist that the applicant wished to address and recommended holding the application in abeyance for two weeks.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 12 – SUP-3545

**MINUTES – Continued:**

MR. CLAPSADDLE informed that staff was able to contact the applicant and inasmuch as he could not get to the meeting, recommended holding the application in abeyance for two weeks to the 2/26/2004 Planning Commission meeting.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:43 –6:44/6:50)

**1-1111/1-1388**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3642 - APPLICANT: JORGE CALDERA - OWNER: NAMCO 8 LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR AN AUTO PAINT AND BODY REPAIR SHOP located at 4920 West Cheyenne Avenue (APN: 138-12-813-001), C-2 (General Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 6 (Mack).

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions and adding the following conditions:**

- *This Special Use Permit is limited to operation solely at 4920 West Cheyenne Avenue.*

**– UNANIMOUS**

**To be heard by the City Council on 3/17/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the special use permit is for an auto paint and body repair shop located within an existing building. There is no visibility to the adjacent residential neighborhood and seeing as any impact will be minimal, staff recommended approval subject to conditions.

JORGE CALDERA, 3414 Mosaic Street, appeared on behalf of the applicant and concurred with staff's recommendation and conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 13 – SUP-3642

**MINUTES – Continued:**

COMMISSIONER McSWAIN stated that she had no concerns with the use itself, but was apprehensive because the special use permit applies to the entire parcel and she wanted to ensure that nothing is located to the north portion of the site that might impact the R-E land to the north. MR. CALDERA stated that he does not plan to make any changes to the building. GARY LEOBOLD, Planning and Development Department, interjected that staff would review any application that might appear close to the R-E land and assured that the recommendation would be different. CHAIRMAN TRUESDELL added that the special use permit is site specific and applies to the leased premises. DEPUTY CITY ATTORNEY BRYAN SCOTT noted that a condition could be added limiting the operation to that particular corner of the parcel.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(6:44 – 6:50)

**1-1178**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for an Auto Paint and Body Repair Shop use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the Conditions of Approval for Rezoning (Z-0079-97).
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3644 - APPLICANT: LUKEGROUP, LIMITED LIABILITY COMPANY - OWNER: ITALIAN-AMERICAN CLUB OF SOUTHERN NEVADA -**

Request for a Special Use Permit and a Waiver of the minimum 400 square-foot size requirement of which a minimum of 200 square feet must be an enclosed structure and the required 20-foot minimum front yard setback FOR AN AUTO SMOG CHECK FACILITY located adjacent to the north side of Sahara Avenue, approximately 650 feet east of Eastern Avenue (A portion of APN: 162-01-401-006), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 3/17/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the parcel is currently developed as the Italian-American Club and has a kiosk located at the front portion of the site. As noted in the conditions, the kiosk is required to be 400 square feet and must be 20 feet from the property line. MR. CLAPSADDLE went on to detail the intended use and described the proposed changes to the kiosk. Furthermore, staff recommended the addition of decorative material since the kiosk is being converted from an accessory use to a primary use and the assignment of three handicap-accessible spaces as required by Code.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 14 – SUP-3644

**MINUTES – Continued:**

LAWRENCE LUCAS, 3163 El Clover Street, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

CHAIRMAN TRUESDELL noted that staff recommended enhancement along the perimeter of the kiosk more in line with shrubbery as opposed to just adding desert rock. MR. LUCAS expressed that the only concern is the cost factor to install the appropriate irrigation. MR. CLAPSADDLE stated that staff could work with the applicant in this regard.

TODD FARLOW, 240 North 19<sup>th</sup> Street, opposed any spray-painted signage and felt that installing a canopy over the existing kiosk is not suitable.

DAVID FRANK, 2964 East Sahara, expressed concern that the kiosk did not meet code requirements specifically in regard to the 20-foot setback.

COMMISSIONER McSWAIN stated that the property owner should be held responsible for meeting the requirements of the code in order to be granted approval of a special use permit. MR. LUCAS conveyed that he would be willing to work with staff to arrive at an acceptable solution.

COMMISSIONER NIGRO asked if staff intends to modify the conditions related to the landscaping requirements. MR. CLAPSADDLE felt it appropriate to retain those conditions and work with the applicant prior to the City Council meeting.

COMMISSIONER EVANS expressed that there are several smog facilities in the same general area and asked whether any consideration has been given to air pollution insofar as the process utilized for each smog check. MR. LUCAS stated that there are two variations of smog checks. For the older model cars, a tailpipe emission test is used. For the newer model vehicles, diagnostic testing is done. MR. CLAPSADDLE stated that this type of use must conform to current law as far as smog checks are concerned.

COMMISSIONER EVANS further stated that he lives in this older community and felt that the apparent proliferation of these types of business will eventually impact the area. He disagreed with the applicant's proposal to lay desert rock as opposed to staff's recommendation for beautifying that particular area.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 14 – SUP-3644

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:51 – 7:09)

**1-1412**

**CONDITIONS:**

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.040 for an Auto Smog Check Facility use, with the exception of Condition #1.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect three Handicap Accessible parking spaces (one Van Accessible), within the parking lot. Accessible parking spaces shall be located with the most direct and practical access to a primary accessible building entrance.
5. A landscape plan shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum 24-inch box tree within each planter adjacent to the Facility and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 14 – SUP-3644

**CONDITIONS – Continued:**

Public Works

8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The structure and use shall not cause an obstruction to on or off-site vehicular travel. Any modifications required to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and shall also receive approval from the Nevada Department of Transportation. Planning and Development

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - ROC-3666 - APPLICANT: UNIVEST I, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 5 of an approved Site Development Plan Review (SDR-2853), to allow a front setback of 17 feet where 20 feet is required for lots in association with a proposed 58-lot single-family residential development on 6.26 acres adjacent to the southeast corner of Hualapai Way and Shiloh School Lane (APN: portions of 138-07-401-003 and 004), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions and amending Condition 1 as follows:**

1. Revise Condition No. 5 of SDR-2853 to read as follows:

“5. The setbacks for this development shall be a minimum of 20 feet to the front of the house (11 feet to porch element, 17 feet to non-garage living area), 3 feet on the side, and 5 feet in the rear.”

**– UNANIMOUS**

**To be heard by the City Council on 3/17/2004.**

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 15 – ROC-3666

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the City Council reviewed the conditions when the application was submitted; however, those conditions were left unchanged, necessitating cleanup action by the Planning Commission. No protests were received in response to the public hearing mailings.

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He appreciated the application being removed from the One Motion – One Vote Agenda and affording the applicant the opportunity to provide additional information to the residents who might still have concerns. Pertaining to the condition relative to the front setback on this development, ATTORNEY ROWE clarified that subsequent modifications were not made to the appropriate condition.

For the benefit of the Planning Commission, CHAIRMAN TRUESDELL explained that the application at hand can be considered a housekeeping item.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:09 – 7:15)

**1-2146**

**CONDITIONS:**

Planning and Development

1. Revise Condition No. 5 of SDR-2853 to read as follows:

“5. The setbacks for this development shall be a minimum of 20 feet to the front of the house (11 feet to porch element, 17 feet to non-garage living area), 3 feet on the side, and 10 feet in the rear.”

Public Works

2. The length of any driveway from the face of a structure to the back of sidewalk (or curb, if no sidewalk is proposed) shall be either a minimum distance of 18 feet in length or a maximum of 5 feet in length.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 15 – ROC-3666

**CONDITIONS – Continued:**

3. Site development to comply with all applicable conditions of approval for SDR-2853, and all other site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - VAC-3467 - APPLICANT: SIGNATURE HOMES - OWNER: PLASTER DEVELOPMENT COMPANY** - Petition to Vacate a portion of the west half of Thom Boulevard, south of Horse Drive, Ward 6 (Mack).

**SET DATE: 03/03/04 C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item [20 [SDR-3631] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 16 [VAC-3467] as her firm is awaiting final payment for work performed for Signature Homes and on Item 17 [VAC-3555] as her firm is currently doing work for the sister company of Centex Homes.

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

NOTE: See Item 11 [SUP-3542] for related discussion.

(6:17 – 6:25)

**1-259**

**CONDITIONS:**

1. This proposed vacation shall vacate the westerly most 4.5-feet of right-of-way along Thom Boulevard adjacent to this site.



PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 16 – VAC-3467

**CONDITIONS – Continued:**

2. Retain rights-of-way and dedicate any additional rights-of-way needed to provide a 20-foot radius corner at the southwest corner of Horse Drive and Thom Boulevard.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Site Development Plan Review SDR-3072 may be used to satisfy this condition.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - VAC-3555 - APPLICANT: CENTEX HOMES - OWNER: CENTEX HOMES AND R & S EL CAPITAN -** Petition to Vacate public sewer and drainage easements generally located south of Racel Street, north of Grand Teton Drive between Durango Drive and Al Carrison Street, Ward 6 (Mack).

**SET DATE: 03/03/04 C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item 20 [SDR-3631] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 16 [VAC-3467] as her firm is awaiting final payment for work performed for Signature Homes and on Item 17 [VAC-3555] as her firm is currently doing work for the sister company of Centex Homes.

To be heard by the City Council on 3/17/2004

**MINUTES:**

NOTE: See Item 11 [SUP-3542] for related discussion.

(6:17 – 6:25)

**1-259**

**CONDITIONS:**

1. The Order of Vacation shall record immediately after the recordation for the Final Map for Santa Bella 4 in order to provide alternative sewer and drainage easements acceptable to the Department of Public Works.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 17 – VAC-3555

**CONDITIONS– Continued:**

2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - VAC-3643 - APPLICANT: CITY PARKWAY IV, INC. AND CITY PARKWAY V, INC.** - Petition to Vacate a portion of the east half of Grand Central Parkway, a portion of the north half of Bonneville Avenue and a portion of a sixty-foot wide Public Drainage Easement generally located north of Bonneville Avenue, between the Union Pacific Railroad Right-of-Way and Grand Central Parkway, Ward 5 (Weekly).

**SET DATE: 03/03/04 C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item [20 [SDR-3631] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 16 [VAC-3467] as her firm is awaiting final payment for work performed for Signature Homes and on Item 17 [VAC-3555] as her firm is currently doing work for the sister company of Centex Homes.

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

NOTE: See Item 11 [SUP-3542] for related discussion.

(6:17 – 6:25)

**1-259**

**CONDITIONS:**

1. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 18 – VAC-3643

**CONDITIONS – Continued:**

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
3. This Vacation shall include the eastern and southernmost five feet (including tapers) of the Grand Central Parkway right-of-way and the northernmost five feet (including tapers) of right-of-way along the Bonneville Avenue alignment. It shall also include vacating the westernmost 40 feet of the existing 60-foot drainage easement located on the eastern boundary of the site.
4. A plan demonstrating how the area to be vacated will be incorporated into the adjacent property shall be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Vacation for this site. The plan shall also indicate where pedestrian access easements will be required for sidewalk outside of the right-of-way. Such easements shall be granted prior to the recordation of an Order of Vacation for this site, unless otherwise allowed by the City Engineer.
5. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
6. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 18 – VAC-3643

**CONDITIONS – Continued:**

7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - VAC-3654 - APPLICANT: RICK WILLIAMS, ET AL - OWNER: CRAIG BUFFALO LIMITED** - Petition to Vacate the north 30 feet of Helena Avenue, between Buffalo Drive and Quadrel Street, Ward 4 (Brown).

**SET DATE: 03/03/04 C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item [20 [SDR-3631] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 16 [VAC-3467] as her firm is awaiting final payment for work performed for Signature Homes and on Item 17 [VAC-3555] as her firm is currently doing work for the sister company of Centex Homes.

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

NOTE: See Item 11 [SUP-3542] for related discussion.

(6:17 – 6:25)

**1-259**

**CONDITIONS:**

1. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 19 – VAC-3654

**CONDITIONS – Continued:**

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided, if required.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required by Rezoning Application ZON-3461 may be used to satisfy this condition, provided that it includes the area proposed to be vacated.
4. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met; provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**NON-PUBLIC HEARING - SDR-3631 - APPLICANT: CITY OF LAS VEGAS** - Request for a Site Development Plan Review FOR A PROPOSED FIRE STATION on a portion of 5.52 acres adjacent to the northwest corner of Harris Avenue and Mojave Road (APN: 139-25-303-014), C-V (Civic) Zone, Ward 3 (Reese).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 11 [SUP-3542], Item 16 [VAC-3467], Item 17 [VAC-3555], Item 18 [VAC-3643], Item 19 [VAC-3654], and Item 20 [SDR-3631] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 16 [VAC-3467] as her firm is awaiting final payment for work performed for Signature Homes and on Item 17 [VAC-3555] as her firm is currently doing work for the sister company of Centex Homes.

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

NOTE: See Item 11 [SUP-3542] for related discussion.

(6:17 – 6:25)

**1-259**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 20 – SDR-3631

**CONDITIONS – Continued:**

2. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
3. The provided trash enclosure shall be walled and roofed according to Title 19.08.045.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened from the abutting streets.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Construct half-street improvements on Harris Street adjacent to this site and extending westward to existing improvements concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 20 – SDR-3631

**CONDITIONS – Continued:**

12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
13. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
14. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - ABEYANCE - VAR-3288 - APPLICANT: PAUL AND SANDY BROSSEAU** - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN: 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 3/17/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this item was held in abeyance to allow the applicants to meet with the neighbor. As a result of this meeting, a mutual agreement was reached. MR. CLAPSADDLE stated that staff did not believe the standards of the Code for granting a Variance had been met and therefore recommended denial.

PAUL BROSSEAU 304 Canyon Drive, explained that a compromise was reach with the adjoining neighbor, JOHN BOYER, which addressed all the concerns MR. BOYER has stated at the last meeting.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 21 – VAR-3288

**MINUTES – Continued:**

JOHN BOYER, 300 Canyon Drive, concurred with MR. BROSSEAU'S representations and confirmed that a restricted covenant agreement was drafted and will record with both properties if approved by the Planning Commission and the City Council. He added that a finalized document would be presented at the time of the City Council meeting.

CHAIRMAN TRUESDELL commended both parties for working out the issues.

With regard to the restricted covenant agreement, COMMISSIONER McSWAIN asked if a copy would be provided for the record. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that the City does not take a position in enforcing an agreement between two private parties. COMMISSIONER McSWAIN felt that because of the deviation from the Code, it would be feasible for a copy to be submitted. DEPUTY CITY ATTORNEY SCOTT explained that perhaps a copy could be provided when the agreement is actually recorded.

Prior to taking a vote and based on MR. CLAPSADDLE'S comments, CHAIRMAN TRUESDELL stated that the motion would include the corrected condition indicating that the plans were submitted at the Planning Commission meeting of 2/12/2004. NOTE: No modification was made to Condition 2 nor included in the letter of approval to the applicant.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:15 – 7:22)

**1-2377**

**CONDITIONS:**

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the site plan as submitted.
3. All necessary permits shall be obtained from the Building and Safety Department prior to start of construction.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - ABEYANCE - SDR-2997 - APPLICANT: UNION LAND & DEVELOPMENT - OWNER: HAROLD-RIYOKO LIVING TRUST** - Request for a Site Development Plan Review for a 6,500 square foot general retail building and a reduction of the front yard setback to allow 10 feet where 20 feet is the minimum required, a reduction in the side yard setback to allow 5 feet where 10 feet is the minimum required, and a reduction in the required amount of perimeter landscaping on 0.44 acres adjacent to the east side of Decatur Boulevard, approximately 275 feet south of Lake Mead Boulevard (APN: 139-19-301-007), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

**TABLE**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends TABLE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – TABLED – UNANIMOUS with McSWAIN abstaining on Item 3 [TMP-3466] as her firm is awaiting final payment for work done for Signature Homes**

**MINUTES:**

CHAIRMAN TRUESDELL stated that the applicant requested approval to Table the Side Development Plan Review.

DAVID CLAPSADDLE, Planning and Development Department, stated that tabling this item does not require the applicant to submit a new application but will require a new re-notification if the applicant desires to reactivate the case.

(6:11)

**1-61**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - ABEYANCE - SDR-3386 - APPLICANT: FM PARKING FACILITIES, LIMITED LIABILITY COMPANY - OWNER: JERRY J. KAUFMAN, ET AL**  
 - Request for a Site Development Plan Review and a Waiver of the Downtown Centennial Plan Transportation and Parking Standards FOR A COMMERCIAL PARKING LOT (VALET) on 0.97 acres located at 601 South Casino Center Boulevard (APN: 139-34-311-058 through 063), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN - DENIED – UNANIMOUS**

**To be heard by the City Council on 3/17/2004**

Note: ROBERT GENZER, Director of Planning and Development Department, disclosed that property owned by his wife and mother-in-law is located within the notification area of this particular proposal and he has not been involved in any staff recommendations.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, briefly summarized the site development plan and the waiver request. She noted that denial is based upon the fact that the use of the property within the office core sub-district of the Downtown Centennial Plan is not in compliance with the goals of that plan.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 23 – SDR-3386

**MINUTES – Continued:**

MS. WHEELER stated that the project would include a surface-level parking lot. Staff determined that the proposed development is not consistent with the office core and additionally, the proposed project would triple the existing parking without providing adequate fencing or landscaping on either the east or the south property lines. MS. WHEELER noted that, should the application be approved, staff has enumerated several conditions to ensure that the development is in compliance with the requirements of the Code.

RICHARD GALLEGOS, 10 Commerce Center Drive, and JERRY KAUFMAN, the property owner, 8380 Turtle Creek Circle, represented this application. Also present was RAY LISKIN, the proposed parking operator. MR. GALLEGOS agreed to the conditions as listed but asked for clarification of Conditions 4 and 5. He briefly described the location and components of the proposed development. With regard to Condition 4, he pledged to donate the cottages and incur reasonable relocation costs of those structures. Regarding Condition 5 pertaining to the landscaping, MR. GALLEGOS noted that along the east is an alley and at the south end, there exists two commercial structures. He was willing to accept the condition requiring fencing per City standards but did not concur with the landscaping requirements.

TODD FARLOW, 240 North 19<sup>th</sup> Street, expressed his disappointment, stating that a multi-use facility with parking, commercial and residential is what is needed in the Downtown corridor.

MR. GALLEGOS substantiated the waiver request by stating that the development is only temporary and within two years, the applicant hopes to come back in with plans for a multi-use facility.

COMMISSIONER EVANS expressed his appreciation for the effort to ensure the preservation of the cottages although he was not moved by the proposed development. Questioning the landscaping, he asked for staff to clarify the applicant's intent. MS. WHEELER replied that there is landscaping on the north and west segments of the property and the indication is that the applicant prefers not to have landscaping on the south and the east portions.

Responding to COMMISSIONER McSWAIN, MS. WHEELER stated that the applicant has offered to have a two-year review. Consequently, she believed it would be possible at that time to determine whether the site plan was still appropriate. DEPUTY CITY ATTORNEY BRYAN SCOTT questioned the validity of a two-year review inasmuch as it would technically be reviewing a parking lot.



PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 23 – SDR-3386

**MINUTES – Continued:**

CHAIRMAN TRUESDELL referenced the limited amount of parking spaces available at the Justice Center in addition to a proposed transportation hub that will eventually be up for bid. He considered the subject lot to be a long-term parking lot and most importantly felt the long-term design standards warranted for this site need to also be taken into account. Considering the monies being spent to improve the downtown district, he felt this particular project is the wrong approach for downtown.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:22 – 7:39)

**1-2727/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - VAR-3736 - APPLICANT: DURANGO AND ELKHORN, LIMITED LIABILITY COMPANY - OWNER: DURANGO ELK HOLDING COMPANY, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 138 PARKING SPACES ARE THE MINIMUM REQUIRED in conjunction with a proposed office/retail development on 1.75 acres adjacent to the west side of Durango Drive, approximately 350 feet south of Elkhorn Road (portion of APN: 125-20-101-008 and 009), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Land Use Designation], Ward 6 (Mack).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED** subject to conditions and the added condition as follows:

- *The applicant will ensure that a shared access and parking agreement is entered into for this site that covers the entirety of both parcels (APN 125-20-101-008 and 009) and that this agreement is registered on the titles of these parcels, prior to the issuance of any building permits.*

– **UNANIMOUS** with TRUESELL abstaining as his firm is currently representing property located next to this proposed development.

**To be heard by the City Council on 3/17/2004**

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 24 – VAR-3736

**MINUTES – Continued:**

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 24 [VAR-3736] and Item 25 [SDR-3657].

GARY LEOBOLD, Planning and Development Department, summarized both the Variance Request and the Site Development Plan Review, stating that the proposal calls for a mixed-use retail and office development. He noted that the 1.75-acre portion was previously a part of an overall 3.94-acre project that occupied the land to the north. Eventually, it will be integrated into the overall site. He noted that the applicant has taken steps to design the project so that the buildings are taller than most single-story structures and will include architectural elements that will reflect a two-story appearance. MR. LEOBOLD also noted that Town Center standards have a 20 percent open space requirement that the applicant is meeting. Staff recommended approval of both applications subject to conditions.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

COMMISSIONER McSWAIN asked if the applicant would consider a shared parking agreement. ATTORNEY LAZOVICH agreed. MR. LEOBOLD suggested that if such a condition is added, it be recorded on title.

No one appeared in opposition

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 24 [VAR-3736] and Item 25 [SDR-3657].

NOTE: All discussion for Item 24 [VAR-3736] and Item 25 [SDR-3657] was held under Item 24 [3736].

(7:39 – 7:46)

**1-3726/2-35**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3657).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SDR-3657 - APPLICANT: DURANGO AND ELKHORN, LIMITED LIABILITY COMPANY - OWNER: DURANGO ELK HOLDING COMPANY, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and Waivers of the Town Center Development Standards for the two-story minimum height requirement in the Urban Center Mixed Use District and the 70 percent clear glazing requirement at the ground floor level along primary pedestrian routes FOR A 17,000 SQUARE-FOOT COMMERCIAL DEVELOPMENT on 1.75 acres adjacent to the west side of Durango Drive, approximately 350 feet south of Elkhorn Road (portion of APN: 125-20-101-008 and 009), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Land Use Designation], Ward 6 (Mack).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN - APPROVED subject to conditions – – UNANIMOUS with TRUESDELL abstaining as his firm is currently representing property located next to this proposed development.**

**To be heard by the City Council on 3/17/2004**

**MINUTES:**

NOTE: See Item 24 [VAR-3736] for related discussion.

(7:39 – 7:46)

**1-3726/2-35**

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004

Planning and Development Department

Item 25 – SDR-3657

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Variance (VAR-3736) to allow 109 parking spaces where 138 parking spaces are the minimum required on this site.
2. A Master Sign Plan shall be submitted for approval by the Centennial Hills Town Center Architectural Review Committee (CHARC) prior to the issuance of a Certificate of Occupancy for any building on the site. Prior to the submittal of a Master Sign Plan, the sign standards established for the SC-TC (Service Commercial – Town Center) District shall be applicable and must be approved as a Special Use Permit.
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
5. Trash enclosures shall be gated, walled, and roofed to match the architectural theme of buildings on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 25 – SDR-3657

**CONDITIONS - Continued:**

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

15. Coordinate with the City Surveyor to determine whether an Administrative Joining or mapping is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
16. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits.
17. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
18. Landscape and maintain all unimproved rights-of-way on Durango Drive and Elkhorn Road adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Durango Drive and Elkhorn Road public right-of-way adjacent to this site prior to occupancy of this site.
20. Site development to comply with all applicable conditions of approval for Z-0085-02 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**PUBLIC HEARING - MOD-3652 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: AZURE SOUTH, INC.** - Request for a Major Modification to the Town Center Development Standards TO ALLOW AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) AS A PERMITTED USE IN THE SX-TC (SUBURBAN MIXED USE – TOWN CENTER) DISTRICT with the approval of a Special Use Permit and Conditions of approval, Ward 6 (Mack).

**C.C. 03/17/04****PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Acoustical Study for Discount Tire Company (attached to Item 26 [MOD-3652]).

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as his firm is currently in negotiation on a separate piece of property with Montecito Companies and GOYNES voting No.**

**To be heard by the City Council on 3/17/2004.****MINUTES:**

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 26 [MOD-3652], Item 27 [SUP-3650], and Item 28 [SDR-3648].

GARY LEOBOLD, Planning and Development Department, explained that the Modification would allow auto parts (new and rebuilt) (accessory sales and service) with a special use permit in the SX-TC (Suburban Mixed Use – Town Center) District. He noted that approval of this request would set a precedent for auto-related uses and would be counter-productive in this area.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 26 – MOD-3652

**MINUTES – Continued:**

MR. LEOBOLD explained that approval of this request would set a precedent for auto-related uses to develop in SX-TC-designated areas, where the intent of that use designation was to act as a transitional mixed-use area to surrounding lower density residential areas. MR. LEOBOLD stated that there are other land use categories in Town Center that do allow these types of auto-related uses and it would be proper to re-designate this site to one of those categories in order to allow such a use. Based on those criteria, staff recommended denial.

With regard to the special use permit, approval would be based on the approval of the major modification to the Town Center Design Standards manual in order to allow it within the SX-TC.

The proposed use as designed in the site plan review would comply with the suggested conditions that accompany the major modification. However, with a denial of the major modification, the special use permit will also require a denial.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant on all three applications. Using the overhead, she pointed out the chart of uses permitted in the Town Center Development Standards. She emphasized that the proposed project is less intense than an auto repair garage for a minor use. ATTORNEY LAZOVICH detailed the applicant's proposal to modify the Town Center Standards to include suburban mixed-use, which she noted is very similar to Service Commercial because it services the general neighborhood with service-type uses. She explained the advantages of adding another category in conjunction with a special use permit versus doing a general plan amendment to get this to Service Commercial.

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked to see the site elevation that reflected lush trees and shrubbery. Comparing this proposal to other Discount Tire Centers, he was certain the end result would be a site void of landscaping similar in appearance to the other Centers.

COMMISSIONER McSWAIN stated she would not support the proposed use against this neighborhood. She added that the tire repair is not performed within an enclosed building and she felt the location is inappropriate for this use.

Referencing the Site Plan, ATTORNEY LAZOVICH, described the development area and the adjacent businesses across the street. She noted that one of the requirements of the modification, if approved, is the separation from existing or potential residential area by a trail with a minimum width of 30 feet or a 330-foot distance. Acknowledging the existing residential, ATTORNEY LAZOVICH noted that the applicant went one step further to ensure there was substantial buffering between the residential and the proposed commercial.



PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 26 – MOD-3652

**MINUTES – Continued:**

COMMISSIONER GOYNES expressed his concern regarding the modification of the Town Center Development Standards. Taking into consideration the details of the modification, he noted that the main purpose of the Town Center Master Plan was to provide unique and innovative uses and suggested the proposed development be moved to an area already designated for the project's intended use.

COMMISSIONER DAVENPORT felt the modification allows the ability to consider a project that would be a special use with set limitations and subject to review.

VICE CHAIRMAN NIGRO stated that similar businesses in older areas should not necessarily be a factor in determining that a tire store in this location would be a negative thing. He referenced a tire store located in the hub of Summerlin that, like the proposed project, is part of a commercial center yet completely surrounded by residential. He stated he could support a project that is upscale with enhanced landscaping and elevations and adequately buffered.

Prior to making a motion on the special use permit, COMMISSIONER EVANS asked for further clarification of the applicant's plans to provide buffering. ATTORNEY LAZOVICH noted that Pad G has a separation distance of 122 feet away from the residential property lines. Within that area, Montecito plans to develop a 30-foot wide trail that will include three rows of trees to provide adequate buffering between the proposed project and the residences. Responding to further questions, MR. LEOBOLD stated that initially there was a deficiency in the amount of landscaping proposed; however, that situation was subsequently resolved.

With regard to questions relative to the noise, ATTORNEY LAZOVICH submitted a study of distance comparisons and emission levels. Based on the report, it was determined that the sound level at 90 feet would be comparable to normal conversation.

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 26 [MOD-3652], Item 27 [SUP-3650], and Item 28 [SDR-3648].

NOTE: All discussion on Item 26 [MOD-3652], Item 27 [SUP-3650], and Item 28 [SDR-3648] was held under Item 26 [MOD-3652].

(7:46 – 8:10)

**2-236**

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 26 – MOD-3652

**CONDITIONS:**

Planning and Development

1. A Site Development Plan Review (SDR-3648) and a Special Use Permit (SUP-3650) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Centennial Hills Town Center Development Standards Manual, except as amended by this request.
3. Add the following to the Centennial Hills Town Center Development Standards Manual:

Add “Auto Parts (New and Rebuilt) (Accessory Sales and Service)” as a Special Use Permit to the SX-TC (Suburban Mixed Use - Town Center) column only of the Permitted Uses Matrix under Section B.2 of the Manual; and

Add the following text as a new Subsection 1a) under Section B.4.b of the Manual:

“ 1a) Auto Parts (New and Rebuilt) (Accessory Sales and Service)

- a. All conditions for this use as specified under Title 19.04.040 must be satisfied for the issuance of a Special Use Permit for this use. In addition, the following conditions must also be satisfied.
- b. The building occupied by the Auto Parts use must be at least 330 feet from the property boundary of any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development, or be separated from such existing or potential residential areas by an existing trail/buffer area with a minimum width of 30 feet.
- c. Any vehicular doors must not face any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development.”

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3650 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: AZURE SOUTH, INC. - Request for a Special Use Permit FOR AN AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) USE on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way (APN: 125-27-222-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use – Town Center) Land Use Designation], Ward 6 (Mack).**

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Acoustical Study for Discount Tire Company (attached to Item 26 [MOD-3652]).

**MOTION:**

**GOYNES – DENIED – Motion carried with TRUESDELL abstaining as his firm is currently in negotiation on a separate piece of property with Montecito Companies and NIGRO and DAVENPORT voting No.**

**This is Final Action.**

**MINUTES:**

NOTE: See Item 26 [MOD-3652] for related discussion.

(7:46 – 8:10)

**2-236**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SDR-3648 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: AZURE SOUTH, INC.** - Request for a Site Development Plan Review and a Waiver of the perimeter and buffering landscaping requirements FOR A 7,852 SQUARE FOOT AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) STORE on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way (APN: 125-27-222-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use – Town Center) Land Use Designation], Ward 6 (Mack).

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Acoustical Study for Discount Tire Company (attached to Item 26 [MOD-3652]).

**MOTION:**

**GOYNES – DENIED – Motion carried with TRUESDELL abstaining as his firm is currently in negotiation on a separate piece of property with Montecito Companies and NIGRO and DAVENPORT voting No.**

**This is Final Action.**

**MINUTES:**

NOTE: See Item 26 [MOD-3652] for related discussion.

(7:46 – 8:10)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - VAR-3575 - APPLICANT: CARL AND ANGELA ANDERSON -**  
Request for a Variance TO ALLOW AN 8-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED 312 SQUARE-FOOT DETACHED ACCESSORY STRUCTURE on 0.20 acres located at 5601 Desert Eagle Court (APN: 125-13-412-001), R-1 (Single-Family Residential) Zone, Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Site Plan of submitted by Carl Anderson
5. Submitted at meeting: Letter from Heritage Estates Community Association dated 11/21/03
6. Submitted at meeting: Statement of Approval from four adjoining neighbors dated 11/13/03

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the setback reduction would enable the applicant to build a detached accessory structure. The structure will extend seven feet into the corner side yard where 15 feet is required. Staff determined that the existing home is constructed to the limits of all applicable setbacks on the other sides of the building and leaves very little space for additional expansion. As there are no unique or extraordinary circumstances evident, staff recommended denial.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 29 – VAR-3575

**MINUTES – Continued:**

CARL ANDERSON, applicant, 5601 Desert Eagle Court, described his plans to construct a hobby shop adjacent to his existing residence. He submitted a letter from the Homeowner's Association, granting permission to construct the additional structure as well as support documents from the adjoining neighbors. MR. ANDERSON concurred with staff's recommendations and conditions.

MARVIN KASS, 7320 Rustic Meadow, appeared in support of the proposed project.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:10 – 8:17)

**2-1042**

**CONDITIONS:**

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - VAR-3658 - APPLICANT: BOBBYE EVANS** - Request for a Variance TO ALLOW AN 8-FOOT REAR YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING ROOM ADDITION on 0.15 acres located at 5528 Green Willow Street (APN: 125-34-511-064), R-CL (Single Family Compact-Lot) Zone, Ward 6 (Mack).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED** subject to conditions – Motion carried with **TRUESDELL** voting No

**To be heard by the City Council on 3/17/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, noted that the existing room addition was previously a patio. A building permit application was submitted and is currently pending.

BOBBYE EVANS, the applicant, 5528 Green Willow Street, explained that she contracted with a builder to construct an extension to her existing residence. Subsequently, the contractor moved forward with the project, unbeknownst to the applicant, that a permit was required.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 30 – VAR-3658

**MINUTES – Continued:**

JOSEPH KOSUDA, 5303 East Twain, considering the circumstances that have occurred, he recommended approval of the applicant's request.

COMMISSIONER McSWAIN asked whether the contractor was licensed. MS. EVANS stated that she has since hired a licensed contractor to complete the extension of the patio as advised by staff to meet the requirements of the code.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:17 – 8:22)

**2-1272**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0073-92).
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3635 - APPLICANT: LOUIS SELIGMAN - OWNER: PARAMOUNT INVESTMENTS COMPANY** - Request for a Special Use Permit FOR OPEN AIR VENDING (HOT DOG CART) at 1924 East Charleston Boulevard (APN: 162-02-512-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED** subject to conditions and adding a condition as follows:

- *The Special Use Permit is subject to a one-year review.*

– Motion carried with TRUESDELL and GOYNES voting No

**To be heard by the City Council on 3/17/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the submitted site plan shows the location of the hot dog cart indicating that it will be set back about 20 feet from the property line and 4 feet from the west property line. He noted that mobile vending operations are intended to serve large gathering spaces whereas this location is on a site approved for office uses. Staff determined that the proposal is inappropriate for the location and recommended denial.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 31 – SUP-3635

**MINUTES – Continued:**

LOUIS SELIGMAN, applicant, 6930 South Paradise Road, concurred with staff conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, objected to the applicant's proposal.

Responding to CHAIRMAN TRUESDELL query, COMMISSIONER EVANS stated that the majority of properties along Eastern to Burnham have signs that do not conform to the code. With regard to the application, he asked why staff recommended denial. MR. LEOBOLD explained that this type of operation should be at a location set back from the road. Specifically, this location is approved for office use. MR. CLAPSADDLE added that most vendors cater to heavy foot traffic whereas this location is mid block and does not have good access for potential customers. Being as this is a special use permit, COMMISSIONER EVANS felt it appropriate to add a one-year review to the conditions.

COMMISSIONER McSWAIN was puzzled by the applicant's site selection. MR. SELIGMAN explained that although he does not live in the immediate vicinity, he felt the foot traffic was ample seeing as this area is largely commercial.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:22 – 8:35)

**2-1466**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. This business shall operate in conformance with Chapter 6.55 of the City of Las Vegas Municipal Code.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. The proposed hot dog cart shall not be located within the existing public right-of-way, interfere with Site Visibility Restriction Zones or cause an obstruction to vehicular or pedestrian travel corridors.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SUP-3636 - APPLICANT: ACOSTA ENTERPRISE - OWNER: VRAAM LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) in conjunction with a proposed grocery store adjacent to the east side of Eastern Avenue 150 feet north of Mesquite Avenue (APN: 139-36-110-002, 003), C-1 (Limited Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**C.C.: 03/17/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 3/17/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, using a video clip, explained the applicant's intent to sell beer and wine products within a market. Staff recommended approval subject to conditions.

RENALDO MORALES, applicant, 1241 Dutch Plat Street, appeared along with LEO GARCIA, the operator, 573 East Twain Avenue, who will occupy one-third of the plaza. MR. MORALES stated that MR. GARCIA operates a similar successful business in the County.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 32 – SUP-3636

**MINUTES – Continued:**

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked whether the conditions address the limitation of alcoholic beverage sales contingent upon square footage. MR. LEOBOLD replied affirmatively. MR. FARLOW added that should the grocery store cease to exist, the liquor store must also be removed. MR. MORALES explained that the liquor sales are part of the grocery store operation.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:35 – 8:41)

**2-2008**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0062-02) and Site Development Plan Review [Z-0062-02(1)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only, and is limited to a 200 square-foot cooler area.
7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - SDR-3638 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD** - Request for a Site Development Plan Review FOR A 101,600 SQUARE-FOOT PSYCHIATRIC HOSPITAL on a portion of 67 acres adjacent to the northwest corner of Jones Boulevard and Oakey Boulevard (APN: 163-02-601-007), C-V (Civic) Zone, Ward 1 (Moncrief).

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Written comments by Dan Musgrove and Marcia Nulmberg
5. Submitted at meeting: Written comments submitted by Susan Brna

**MOTION:**

**NIGRO – APPROVED subject to conditions and amending Conditions 13 and 16 as follows:**

13. Dedicate an additional 29 feet of right-of-way or provide roadway easement rights for a total radius of 54 feet on the northwest corner of Jones Boulevard and Oakey Boulevard.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department Of Public Works prior to the *issuance of any offsite permits*. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City Of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the

PLANNING COMMISSIONER MEETING OF FEBRUARY 12, 2004  
Planning And Development Department  
Item 33 – SDR-3638

**MOTION – Continued:**

developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any *offsite permits*, if allowed by the City Engineer.

**And adding the following condition:**

- *The development of the remaining future pod will be subject to an administrative review by the Planning and Development Department.*

– Motion carried with EVANS abstaining as he is employed by the State of Nevada and precluded from voting on this matter and GOYNES voting No.

**To be heard by the City Council on 3/17/2004 – NOT TO BE HEARD BEFORE 4:00 P.M.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

Using the overhead, DAVID CLAPSADDLE, Planning and Development Department, presented a detailed recap of the Site Development Plan Review. He explained that the Site Plan indicates a facility 101,600 square feet in size, comprised of one and two stories structures with the two-story component attaining a maximum height of 35 feet 7 inches at its highest peak. The landscape plan shows trees in the parking and perimeter areas with specific placement, tree heights and positioning that meet the standards of the Code. With regard to parking, the number of spaces projected meet Code requirements; however, MR. CLAPSADDLE noted that handicap parking needs to be provided according to the Code and the applicant is aware that that must be accomplished prior to submittal of the Final Plan. Additionally, the applicant has concurred with construction of a 20-foot wide multi-use trail along Oakey Boulevard.

MR. CLAPSADDLE described the various features of the building elevations and stated that they are architecturally designed to portray residential features of look, feel and character. Inasmuch as there are a number of conditions, he read each and noted that staff has recommended modifications to Conditions 13 and 16, which will be subsequently addressed. MR. CLAPSADDLE affirmed that based on the applicant's agreement to the conditions pertaining to the loading zone, parking lot landscaping, perimeter landscaping, and covered trash enclosure, staff recommended approval based on these and on the size and scale of the project being appropriate and compatible with the surrounding area.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**MINUTES – Continued:**

In conclusion, MR. CLAPSADDLE presented a video overview of the subject site pointing out the proposed project as well as the adjacent properties.

DAN O'BRIEN, Manager of the Nevada State Public Works Board, Carson City, Nevada, appeared on behalf of the applicant along with JERRY IKE, HMC Architects.

MR. IKE stated that all of staff's Conditions of Approval, including the revisions to Conditions 13 and 16, were thoroughly reviewed and agreed upon. Referencing the condition pertaining to compliance with all City Code requirements relative to design standards of all City departments, he accentuated the fact that this site is State of Nevada land, consequently, the State Public Works Board is the building official for State land and all building code provisions and similar items fall under their jurisdiction.

MR. IKE requested consideration to include as an additional condition, that the fourth pod, proposed for the future, be included as part of the Site Development Plan Review, noting that when it comes time to construct that fourth pod, that staff would have the review and approval capabilities to do this administratively.

Referring to the overhead, MR. IKE pointed out each designated section indicating the location of the gymnasium, to be used for recreational therapy for patients and the primary entrance and lobby area of the main two-story building. Giving a virtual tour of the proposed project, he pointed out the snack bar, the administrative area, psychiatric observation space for walk-in and outpatient services and the four pods where patient beds will be contained. To present a clearer picture of the proposed facility, MR. IKE showed photographs of the existing facility in Sparks, Nevada that has been in operation for the past three and a half years. Using the photos he pointed out the building entrance, the emergency area, the lobby section and the interior courtyard for outdoor therapy and recreation. MR. IKE also pointed out the dining facilities and emphasized that its architectural design provides the appropriate environment for all of its patients.

Before opening up the Public Hearing, DEPUTY CITY ATTORNEY BRYAN SCOTT, asked each Commissioner to carefully consider only the criteria as provided for in the Las Vegas Municipal Code that pertain to the appropriateness of reviewing a Site Plan. With copies provided to all Commissioners, he read each of the criteria for the record.

Addressing the audience, CHAIRMAN TRUESDELL stated that it is pertinent to hear each comment and gather information but emphasized the importance of focusing only on the issues pertaining to the site and not the use. CHAIRMAN TRUESDELL proceeded to first invite all speakers in favor of the proposed project to approach the podium.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**MINUTES – Continued:**

The following citizens appeared in support of the proposed psychiatric hospital: DIANE MILES, 6054 Judson; JOSEPH KOSUDA, 5303 East Twain; CLAIRE BOUTIN, 6150 Transverse Drive, #204; JOE TYLER, State of Nevada NAMI President; LOIS GOLDBERG, 5366 Via De Polma Drive; BRIDGET KIDDLE, 2385 East Windmill Lane; INGRID WHIPPLE, Administrator of Montevista Hospital; REVEREND PAUL HANSEN, 7405 Court Wilkins Drive; TOM MAHER, 991 Courtney Valley Street; DAN MUSGROVE, Clark County and University Medical Center; GLEN ROARK, 3836 South Torrey Pines; ROBERT BURNHAM, 9804 Concord Downes; MAURICE BOUTIN, 704 Cypress Meadows Lane; ALEXANDER BLUMS, 2385 East Windmill Lane; ROBERT KAUFMAN, 1700 English Oak Street; MARY MONTAGO, 3810 Willgan Bay Street; and DAVE SCHMIDT, 11745 Cashmere Mist Avenue.

Supporters of the Psychiatric Hospital thanked the Commission for the opportunity to speak on behalf of the proposed project with several comments focusing on the need for such a facility in order to provide much needed services for the mentally ill. All of the speakers felt the location is appropriate for the area, being adjacent to the existing facility that has been on that site since 1975. Speakers included former patients, relatives of patients and doctors and counselors who work constantly to help individuals who are afflicted with this disease. One speaker likened mental illness to any physical illness but stated that many people misunderstand mental illness and do not realize the urgency of providing services and much needed medication to those who are suffering.

A number of speakers expressed their appreciation to the State of Nevada for their plans to construct a beautiful facility. Those who have worked with mentally ill patients relayed that these people are legally entitled to a full range of civil and human rights and that would include the right to be treated for their illness as any person having cancer or diabetes or heart disease. Speakers closely affiliated with the Sparks, Reno facility and the Montevista Hospital expressed their hopes that this proposed facility would meet with approval not only because it is a state-of-the-art facility surrounded by lush landscaping but it provides the security to safeguard the patients who will eventually take residence within its walls.

One individual related to the lack of funds and services and favored the psychiatric facility being built on this site stating that if disapproved, it would be another four years for an alternate location to be found. The Administrator of the Montevista Hospital facility, a private hospital, stated her support noting that mental health services as well as bed accommodations are very much needed. A former CEO for two psychiatric hospitals stated that the demand for psychiatric services is extremely high as is the need for a hospital. Another supporter of this project felt the planned hospital would bring skilled jobs into the community and this in itself would enhance the neighborhood. A former civil structural engineer and planner stated that the site is in perfect harmony with the existing hospital and because of its centralized location, would be able to



PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**MINUTES – Continued:**

utilize not only the services of the Metropolitan Police Department but also the ambulance services. He further added that the site plan is perfect for the site and the State of Nevada has gone great lengths to provide the appropriate landscaping, setbacks, parking, etc. to comply with Code requirements. Another speaker agreed with the previous comment related to location particularly in regards to cutting down the commute time for various professionals who provide the much-needed services.

Speaking in opposition to the proposed project were: TODD FARLOW, 240 North 19th Street; FRANK PERNA, 4398 Fernbrook Road; DENNIS CASE, 5780 Del Rey Avenue; GILBERT MEDINA, 1912 Eliminator Drive; DENISE REITZ, 1912 Blue Jay Circle; BRIAN PACKER, 5313 Doe; SUSAN BRNA, representing the Neighborhood Association Groups; SUSAN SAVALA, 1913 Eliminator Drive; LEE HAYNES, 1236 Las Vegas Boulevard South; JUANITA CLARK, representing Charleston Neighborhood Preservation; DOTTIE SILVER, 1916 South Torrey Pines; GINA ANGELONE, 2004 Springview Drive; DENNY KRAUSE, 6001 West Oakey Boulevard; PAUL CLARK, 1676 Red Rock; JEAN (INAUDIBLE), 3359 Pageland Court; TARA YOUNG, 1935 Redwood; CELESTE DOWNEY, 2100 Diamond Bar Drive; MARK CINOTTO, 5437 Del Rey Avenue; JANE RHEES, 1660 Duneville; and ANDREW REITZ, 1912 Blue Jay Circle.

Several of the comments made by opponents of the proposed psychiatric hospital included disapproval of the location as an appropriate site and recommendations to move the facility out of the City to a more remote vicinity or consider converting the former VA Clinic into a psychiatric facility. Opponents argued that the facility would be inadequate to accommodate the number of people who suffer from mental illness and stated that the location was selected as a means to save the State of Nevada money. Several speakers compared the facility to a prison compound further on implying that the facility would house criminally ill patients that are very dangerous should they happen to get out. One of the major concerns expressed dealt with the close proximity of an elementary school and although several speakers felt the hospital is needed, they opposed having it located in their neighborhood.

One citizen, speaking on behalf of several neighborhood associations, stated that several discussions were had between the associations representatives and the Mayor and City Council members, County Commissioners, MARK JAMES and CHIP MAXFIELD, U.S. Senators HARRY REID and JOHN ENSIGN, University Regents and PRESIDENT GIANNI, JR., State Assembly Representatives WIENER, MORTENSON, and WEBER, and finally State Senators TIFFANY, CEGAVSKE, MABEY, JR. and SCHNEIDER. Additionally, meetings were held with the State Of Nevada's Public Works, the State Planning Board and the Bureau of Land Management.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**MINUTES – Continued:**

Commenting further on whether the project was in compliance with the General Plan, one individual stated his concern related to safety issues in regards to the number of children who reside in the area, including those who attend Opportunity Village, the adjacent childcare facility and the Kindercare Daycare facility, the Seventh Day Adventist Academy and the nearby Bonanza High School. Additional comments were heard regarding the Community College desiring to obtain the property for their expansion based on their enrollment projections.

In regards to site issues, one of the speakers asked how the fire department would address egress and ingress to the property. Another opponent stated that the State of Nevada, Division of Lands and State Public Works, for the last twelve years, determined that there were no plans for this property. With regard to City Code and Design Standards, one opponent argued that the proposed psychiatric facility does not meet any of the standards. Further, addressing the water channel that runs through the property, one of the speakers maintained that this would cause major drainage problems resulting in exorbitant costs and would adversely affect some of the planned amenities such as the gym, the snack bar and the parking area. With regard to traffic, comments were heard regarding the Nevada Department of Transportation's stance not to permit any additional exit traffic onto Charleston Boulevard.

Inasmuch as most of the opposing comments were focused on neighborhood concerns such as safety, decrease in property values, perception that the facility would become a facility for the criminally insane and that the proposed project will generate more jobs which would in turn adversely affect the traffic, CHAIRMAN TRUESDELL repeated his request that only site plan issues need to be addressed.

At the conclusion of the Public Hearing, MR. IKE was prepared to address some of the issues brought up by the concerned residents.

CHAIRMAN TRUESDELL stated that with the various issues at hand, he noted that there were virtually no legitimate site item issues raised by those in opposition to the psychiatric hospital.

MR. O'BRIEN responded to the comments made by the neighbors. He clarified the access issue noting that the State avoided any access off of Jones and Oakey specifically because of the existing traffic conditions and chose to have their primary entrance come off of College Parkway and onto a signalized intersection at Oakey. He stated that with regard to fire access, the applicant entered into a Joint Access Agreement with the adjacent neighbor, therefore, enabling the fire department access through three access points. MR. O'BRIEN stated that the facility maintains a food service program that will provide three meals a day for all of the patients. The meals will be carted from the Desert Willows facility to the new campus, so this in itself would have no impact at all on College Parkway. MR. O'BRIEN - thoroughly reviewed the hours of

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**MINUTES – Continued:**

operation, comparison of the building size to medical office or civic center facilities, and the drainage issue. He responded to the comment regarding no special use permit being required and clarified that the State applied for a zone change, which was subsequently approved by the City, so that eliminated the need for a special use permit.

MR. O'BRIEN provided additional information pertaining to the 12-foot wall, the design of the site, placement of the air conditioning units and other rooftop mounted equipment, parking and landscaping.

Questions were raised by COMMISSIONER McSWAIN that pertained to the kitchen facilities at both the existing facility and the proposed psychiatric hospital, the building elevations, landscaping and the anticipated number of employees who would support this 24/7 operation. She remarked that had this been a special use permit application, she would have had a number of questions to ask and was disappointed at not having that opportunity. COMMISSIONER McSWAIN additionally asked the applicant to clarify whether the proposed psychiatric hospital is considered a lockdown facility and whether people, sentenced and found guilty for reasons of insanity would be housed at this facility. Referring to the standards by which the Commission would base their final recommendation, COMMISSIONER McSWAIN asked staff if, pertinent to the criteria that a proposed development must be compatible with adjacent development in the area and with staff's referral to zoning, and building design, whether those were the only issues that could be considered. MR. CLAPSADDLE replied affirmatively stating that with regard to compatibility, elevations, traffic, landscaping and parking, these are looked at to ensure that a site plan conforms to the standards of the code.

COMMISSIONER GOYNES noted that ten years ago, there was a question of whether the existing facility would even materialize, but over time and with staff's recommendations that there were no significant changes in the area, the then proposed facility was determined to be compatible with the surrounding area. He likened this project to existing situations in the area he represents and agreed with a previous opponent that this type of use should be put into a district away from neighborhoods where the end result would significantly impact the lifestyles of the residents and their property investments.

DR. JOHNNA TREGGS responded to the COMMISSIONERS' queries and clarified that the Desert Willows campus has been in existence since 1975. She explained that none of the patients are people who have been charged for a crime. The patients are individuals who are mentally ill and have either voluntarily been placed at the facility or involuntarily placed because of serious emotional problems. She stressed, they are not criminally insane, they are mentally ill.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**MINUTES – Continued:**

DR. TREGGS summarized the process followed when a person is in need of help and noted the various groups of people that play a major role in this process. She also addressed security as it relates to the design of the facility, the patient's average length of stay at the facility and the amount of funds allocated for medication, community services, outpatient counseling and staffing.

COMMISSIONER NIGRO stated that based on staff's recommendation for approval and the significant effort the applicant has undertaken to work with City staff with regard to windows, walls, elevations, emergency access, egress, ingress and aesthetic issues, he would support the application. He further stated that he believed every effort was made to ensure that the proposed site plan would have the least impact on the community although in comparison, it would obviously be more intense than vacant land. He stated that his support of the site plan review is based solely on the site plan itself independent of whatever opinion he might have relative to the use.

COMMISSIONER DAVENPORT concurred with COMMISSIONER NIGRO'S statements.

CHAIRMAN TRUESDELL asked the applicant to explain the food service in regards to where it is prepared, how it is carted. He asked about the future plans for the existing facility once the beds are taken out of service. CHAIRMAN TRUESDELL explained that he toured the facility located in Sparks and was quite impressed with the layout that did not in the least look like a mental health facility. He stated the same concerns regarding fire access and parking accessibility for families. Relative to the site, CHAIRMAN TRUESDELL remarked that this site was long proposed by the University and the State of Nevada as a campus for their facilities; long before any of the adjacent houses were built south of Oakey in the 1970's. He stated his support, and after looking at every aspect of the site plan and considering the site constraints felt the psychiatric hospital was residentially compatible.

GINA VENGLASS, Public Works Department stated that both Conditions 13 and 16 required modification and went on the read the amendments for the record. With the modification defined, DEPUTY CITY ATTORNEY SCOTT stated it would be appropriate to determine whether the applicant agreed to the stated changes. MR. IKE concurred with the modifications.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:41 – 10:58)

**2-2343-4-390**

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. **PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004**
3. The site plan shall be revised and approved by the Planning and Development Department, to reflect an adequate amount of handicap parking, to reflect the required trail along Oakey Boulevard that is designed to conform to the Transportation Trails Element of the Las Vegas 2020 Master Plan and to identify the location of loading zones which meet the requirements of the Code.
4. The applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be submitted and revised and approved by Planning and Development Department staff, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters in perimeter locations.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**CONDITIONS– Continued:**

10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Jones Boulevard and Oakey Boulevard concurrent with development of this site.
14. Construct all incomplete half-street improvements (sidewalk) on Jones Boulevard and remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
15. This site shall be required to connect to the 30-inch public sewer line in Oakey Boulevard, due to insufficient capacity in other existing sewer lines.
16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 33 – SDR-3638

**CONDITIONS– Continued:**

17. Site development to comply with all applicable conditions of approval for ZON-1905 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - TXT-2450 - CITY OF LAS VEGAS** - Discussion and possible action to add a new Scenic Byway Overlay District in Title 19.06, to define the boundaries and intent of the District, and to add language regarding on-site and off-site signage within the District.

**THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to 2/26/2004 Planning Commission meeting – UNANIMOUS with McSWAIN abstaining on Item 3 [TMP-3466] as her firm is awaiting final payment for work done for Signature Homes**

**MINUTES:**

CHAIRMAN TRUESDELL stated that staff recommended holding the Text Amendment in abeyance to the 2/26/2004 Planning Commission for additional review.

(6:11)

**1-61**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - DIR-3733 - APPLICANT: HORIZON SURVEY'S - OWNER: RONALD H AND ROSE M RIEGER** - Appeal of Director's decision per Title 18.16.010 to deny a Parcel Map (PMP-3730) for failure to comply with Title 18.06.070.

**C.C. 03/17/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – DENIED – UNANIMOUS with TRUESEDELL abstaining because Horizon Surveys is doing work for his firm and McDonald's is a client of his on that site and EVANS excused**

**This is Final Action**

**MINUTES:**

VICE CHAIRMAN declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that normal Parcel Maps are administratively processed. In this case, the Planning Department denied a previous request for a Parcel Map; however, the applicant did not file an appeal on time. Subsequently, another application was filed showing two lots; one with a McDonalds on the larger lot and a billboard on the smaller lot. In summary, the smaller lot does not meet the standards of the code with regard to lot width requirement. MR. CLAPSADDLE stated there are alternatives available.

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Item 35 – DIR-3733

**MINUTES – Continued:**

PAUL BURN, 9901 Covington Cross Drive, appeared on behalf of the applicant. He stated that the applicant was requested by the City to come up with a parcel map, so subsequently he was tasked with doing an independent research on the history of the lot and determining the accurate boundaries of that parcel. He acknowledged that Lot 2 of this parcel does not meet the standards of the code but more significantly, this lot is not owned by his client.

COMMISSIONER McSWAIN asked how long a commercial subdivision would take. MR. CLAPSADDLE replied it would take 90 days for the tentative map process. But he re-emphasized that that second lot does not meet the standards and this application has been ongoing for several months. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that had the applicant made the effort to conform to the requirements at the start, it would not have taken this long.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(10:58 – 11:07)

**4-694**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**PUBLIC HEARING - DIR-3803 - CITY OF LAS VEGAS - Election of Planning Commission Officers for 2004.**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – Motion to REAPPOINT RICHARD TRUESDELL as Chairman and TODD NIGRO as Vice Chairman – Motion carried with DAVENPORT voting No.**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

COMMISSIONER EVANS recommended the reappointment of COMMISSIONER RICHARD TRUESDELL as Chairman and COMMISSIONER TODD NIGRO as Vice Chairman.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:41)

**2-2244**



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2004**

**CITIZENS PARTICIPATION:**

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

**MINUTES:**

TODD FARLOW, 240 North 19th Street, commended COMMISSIONER GOYNES on his comments regarding Item 33 related to the proposed psychiatric hospital.

He was disappointed that none of the Commissioners had the opportunity again to attend the Sustainable Architectural lectures.

(11:07 – 11:09)

**4-1027**

SUSAN SAVALLA, 1913 Eliminator, expressed her frustration with the State of Nevada and how the issue of acquiring a special use permit was not handled appropriately to enable residents to have a public hearing.

(11:09 – 11:13)

**4-1080**

LEE HAYNES, 1236 Las Vegas Boulevard South, expressed his disappointment at the outcome related to the State of Nevada's proposed psychiatric facility.

(11:13)

**4-1214**

BRIAN PACKER, referring to the State of Nevada's proposed psychiatric facility, asked whether the comments made by those in opposition were not considered valid. CHAIRMAN TRUESDELL stated that the Commission based their recommendations on the fact that the project is a hospital and not a prison as alluded to by those in opposition. COMMISSIONER McSWAIN agreed that the neighbors should have had an opportunity to address not only the Site Plan Review but the Special Use Permit as well. Unfortunately, the process did not allow that. DEPUTY CITY ATTORNEY BRYAN SCOTT remarked that the City Council will not have any greater authority in considering this application and will have to deal with the issues in the same way as the Commission was tasked to do.

(11:16 – 11:17)

**4-1296**

# *City of Las Vegas*

PLANNING COMMISSION MEETING OF FEBRUARY 12, 2004  
Planning and Development Department  
Citizens Participation

## **MINUTES – Continued:**

JUNE INGRAM, representing the Charleston Heights Preservation, also addressed the State of Nevada's application for a psychiatric hospital. She commented on the kitchen facilities and services.

(11:17 – 11:18)

**4-1372**

**MEETING ADJOURNED AT 11:18 P.M.**

Respectfully submitted:

---

ANGELA CROLLI, DEPUTY CITY CLERK

---

DEENY ARAUJO, DEPUTY CITY CLERK